

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

C.A. No. 04-10353-PBS

DEFENDANT'S MOTION FOR IMPOUNDMENT

Defendant and counterclaim plaintiff Manfred Grabherr (“Grabherr”) moves pursuant to Local Rule 7.2 and section 14 of the parties’ agreed-to Protective Order for an order impounding Exhibit B to the Declaration of Paul D. Popeo filed in support of Grabherr’s Motion for Summary Judgment. As grounds for this motion, Voice Signal states that the Exhibit B discloses portions of ScanSoft’s Responses to Defendant’s First Set of Interrogatories that have been designated “Highly Confidential” by ScanSoft. Pursuant to section 14 of the parties’ Protective Order, which was entered by the Court on March 11, 2005, any documents filed with the Court that disclose materials designated “Confidential” or “Highly Confidential” must be filed under seal. In addition, Grabherr refers to a portion of Exhibit B in the Memorandum in Support of Grabherr’s Motion for Summary Judgment (the “Memorandum”). Grabherr will redact the “Highly Confidential” information from the copy of the Memorandum that he will file electronically and will file an unredacted copy of the Memorandum by hand with the Court.

WHEREFORE, Grabherr requests that the Court enter an order impounding Exhibit B to the Declaration of Paul D. Popeo in support of Grabherr's Motion for Summary Judgment. Grabherr further request that the Court grant it leave, pursuant to Local Rule 7.2(d), to file Exhibit B to the Declaration of Paul D. Popeo under seal concurrently with this motion for impoundment.

Respectfully submitted,

Dated: May 4, 2005

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Wendy S. Plotkin

Robert S. Frank, Jr. (BBO No. 177240)
Sarah Chapin Columbia (BBO No. 550155)
Paul D. Popeo (BBO No. 567727)
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CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for Voice Signal conferred with counsel for ScanSoft on May 4, 2005 in an effort to resolve the issues presented in this motion and that counsel for ScanSoft assented to this motion.

/s/ Wendy S. Plotkin